PATENT
Customer No. 22,852
Attorney Docket No. 05225.0261

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
    Ken UENO et al.) Group Art Unit: 3736
)
Application No. 10/808,562) Examiner: Naqi, Sharick
)
Filed: March 25, 2004)
)
For: BEHAVIOR CONTROL SUPPORT) Confirmation No. 4855
      APPARATUS AND METHOD)

Mail Stop 16
Refund Branch
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR PARTIAL REFUND OF FEES PAID

The undersigned respectfully requests a partial refund of fees paid, in

accordance with 35 U.S.C. § 42(d) and 37 C.F.R. § 1.26, for the reasons set forth

below. On September 25, 2008, Applicants filed a Request for Continued Examination

(RCE), and petitioned for a two month extension of time. Applicants electronically paid

a fee in the amount of $1,270 via EFS-Web, including $810 for the RCE fee and $460

for the two-month extension of time fee. Because Applicants previously filed a Reply to

Final Office Action on August 19, 2008, for which a one month extension of time fee

was paid in the amount of $120, Applicants should only have paid $340 for the two

month extension of time fee ($460 - $120 = $340) when the RCE was filed on

September 25, 2008. The $1,150 correct fee amount thus includes $810 for the RCE

fee and $340 for the two month extension of time fee. Applicants noted this correct fee balance due for the RCE + two month extension of time in the "Fees" section on the RCE transmittal.

However, the EFS-Web system does not allow for adjustment to the two month extension of time fee payment in this situation. As a result, and in order to complete the electronic filing via EFS-Web, Applicants paid the two month extension of time fee in the full amount of $460 concurrently with the filing of the RCE on September 25, 2008. The undersigned telephoned the USPTO Electronic Business Center, and was informed that this Request would have to be filed to correct the overpayment made via EFS-Web.

Therefore, the undersigned respectfully requests a refund of $120, which is the difference between the $1,270 amount paid by Applicants for the filing of September 25, 2008, and the $1,150 correct amount which should have been due for the filing.

The Director is authorized to deposit the refunded amount in Deposit Account 06-0916, or to issue the refund to the credit card used to make the fee payment on September 25, 2008. In issuing the refund, please refer to our docket no. 05225.0261. Further, if there is any fee due for the filing of this Request, the Director is authorized to charge such required fee to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 26, 2008   By:___/David M. Longo/_____
                                   David M .Longo
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Electronic Patent Application Fee Transmittal

Application Number:	10808562
Filing Date:	25-Mar-2004
Title of Invention:	Behavior control support apparatus and method
First Named Inventor/Applicant Name:	Ken Ueno
Filer:	David Matthew Longo
Attorney Docket Number:	05225.0261

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 2 months with $0 paid	1252	1	460	460

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
Request for continued examination	1801	1	810	810
Total in USD ($)				**1270**